

Protection of Lawful Commerce in Arms Act, S.397

The legislation prohibits one narrow category of lawsuits: suits against the firearms industry for damages resulting from the criminal or unlawful misuse of a firearm or ammunition by a third party.

These are predatory lawsuits aimed at bankrupting the firearms industry. The courts of our Nation are supposed to be forums for resolving controversies between citizens and providing relief where warranted, not a mechanism for achieving political ends that are rejected by the people's representatives in Congress and the states.

Over two dozen suits have been filed on a variety of theories but all seeking the same goal of forcing law-abiding businesses selling a legal product to pay for damages from the criminal mis-use of that product.

While half have already been fully and finally dismissed, other cases are still on appeal or pending. Millions of dollars are still being spent. The bill would require the dismissal of existing lawsuits, as well as future lawsuits.

It is not a gun industry immunity bill, because it DOES NOT protect firearms or ammunition manufacturers, sellers, or trade associations from any other lawsuits based on their own negligent or criminal conduct.

The bill gives specific examples of lawsuits not prohibited: product liability; negligence or negligent entrustment; breach of contract; lawsuits based on violations of state or federal law.

The trend of abusive litigation targeting the firearms industry not only defies common sense and concepts of fundamental fairness, but it would do nothing to curb criminal gun violence. Furthermore, it threatens a domestic industry that is critical to our national defense, jeopardizes hundreds of thousands of good-paying jobs, and puts at risk the access Americans have to a legal product used for hundreds of years across this nation, for lawful purposes such as recreation and self-defense.

More than 30 states have enacted similar gun lawsuit bans or civil liability protection.